S.B. CIVIL WRIT PETITION NO.6292/2007.

Head Post Master
Vs.
Kishan Chand and ors.

Date of Order : 21/8/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Gaurav Jain for the petitioner.

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Learned counsel for the petitioner argued that learned Permanent Lok Adalat vide its order dated 10/5/2007 while awarding a sum of Rs.2400/- to the petitioner has failed to correctly appreciate the amended Circular dated 10/2/2006 of the Government of India by which rules were amended so as to provide that in cases where amount deposited with Monthly Income Scheme (MIS) for duration of six years is sought to be withdrawn earlier than the maturity period but after three years, the deduction @ 1% only on the amount deposited shall be made.

It is argued that contrary to that statutory provision, the learned Permanent Lok Adalat has awarded the aforesaid amount of Rs.2400/-. It is further argued that in case this order is allowed to stand, such similar orders

might follow in future as well thereby creating pecuniary liability for Government.

In the facts of the case, I find that the dispute is with regard paltry sum of Rs.2400/- and that too at the instance of Union of India. Interference with the order of the Permanent Lok Adalat is therefore not considered appropriate. At the same time, it is clarified that order of dismissal of the present writ petition shall not be construed as a precedent for cases of similar nature if any arises in future.

The writ petition is accordingly dismissed.

(MOHAMMAD RAFIQ), J.

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